

City of Winter Park  
Civil Service  
(1974) Fire Chief  
Finlayson

# Board Probe Clears Fire Chief Finlayson

By ROSEMARY SIMMS  
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WINTER PARK — The Civil Service Board has ruled "there is not competent, substantial evidence to support any charges of misconduct" and "no disciplinary action nor punishment be taken against Fire Chief R. C. Finlayson."

The unanimous decision was reached quickly during a special meeting this past week after Civil Service Board members reviewed the investigation report prepared by the board's chief examiner John Schmidt.

**THE ALMOST** two-week probe into allegations by acting city manager Bob Proctor against Finlayson, charging the fire chief with "poor" administration directed itself to five areas.

- They were:
- The actions of the chief relating to the fire which destroyed Old Lyman Hall at Rollins College Feb. 12, including the equipment breakdown, lack of water pressure and "general confusion."
  - The actions of the chief in releasing reports to the news media.
  - The actions of the chief at formal meetings and work sessions of the city commission.
  - The actions of the chief in handling bids for a fire pumper truck.
  - The actions of the chief in following the city manager's procedure for the fire department budget and reorganization of the fire department.

**THE FINDINGS** in those areas were:

- There is little, if any, evidence actions of the chief were not proper in the handling of the Lyman Hall fire. One person thought there was some confusion while a trained observer and the director of the physical plant at Rollins College (Tom Wells) concluded the chief should be commended for his actions handling the fire.



**BOB FINLAYSON**  
... Cleared

- There is no evidence that any equipment malfunction or breakdown or the lack of water pressure was the fault of the chief.
- The chief admits to making an "on the scene" statement to the press. Due to the circumstances and probably stress of fighting a fire, the statement does not appear to be out of place.
- There is no evidence of lack of cooperation by the chief at meetings of the city commission. It can be concluded the chief expressed openly his views concerning proper fire protection.
- Former building official Hugh Gordon and Proctor are of the opinion the chief could have been "more cooperative" in drafting a sprinkler ordinance. "The chief feels he acted properly and cooperatively to insure that a proper ordinance resulted," the report says. "It appears the problem is some lack of communication between various departments — a problem the chief did not either create, nor, in the early stages, eliminate."
- There is not evidence of improper conduct in handling the bids. "The city in fact saved needed

money," Schmidt wrote. "However, if the chief did accept a modification of or, exception to, the written specifications he should be aware that such action raises doubts in the minds of suppliers about the propriety of the formal bidding procedure."

- The actions of the chief in following the procedures of the city manager were incomplete "since the former city manager (Frank Wooten) is no longer with the city and stated he did not wish to comment."

**THE CHIEF** examiner recommended there should be "no disciplinary action or reprimand, suspension, demotion or discharge since there is no evidence of misconduct."

Schmidt pointed out in his report, misconduct is defined as: malfeasance, misfeasance or nonfeasance; conduct unbecoming a member of the department; conduct to the prejudice of good order and discipline; violations of any rule or regulation of the Civil Service code or of the rules and regulations of each department; and any immoral or criminal act.

Those interviewed by Schmidt included: Keith Kirton, Rollins deputy director of campus safety; Herb Rinne, assistant physical plant director at Rollins; Wells, physical plant director; Lee Kimball, heat and air conditioning mechanic assigned to the college physical plant; Capt. Gerald D. Delbene, Winter Park Fire Department; Robert Bartholow, a hydraulic specialist; Gordon, building official; Proctor; Wooten; and Andy McCallum, assistant purchasing officer for the city.

**THE REPORT** also included five letters of commendation for Chief Finlayson, including one from E. B. Wright, deputy state fire marshal.

Chief Finlayson was fired March 20 by Wooten and reinstated March 27 by the city commission. Wooten, who drew criticism from the commission over the dismissal action,

reported ill March 27 and did not return. He resigned by mail. Proctor carried through with the

proper procedures concerning acting city manager has said Finlayson after it was determined previously he believed he and Wooten was not returning. The Finlayson could "work together."

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